

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

DOCKET NO. 3:89-cr-00163; 3:89-cr-00164

UNITED STATES OF AMERICA,

Plaintiff,

vs.

THOMAS J. MAYBECK,

Defendant.

ORDER

THE MATTER is before the Court on Defendant's pro se Motion to Clarify Federal Sentence (Doc. No. 14). The Court DENIES Defendant's motion as the Judgment and Commitment of this Court is clear and was made before any judgment entered in the state court proceeding referenced in Defendant's motion. Accordingly, the Court leaves the Judgement and Commitment of this Court undisturbed. This Court is without jurisdiction to offer relief on Defendant's state court judgment. The Court notes, however, that this Order is without prejudice to Defendant's ability to seek clarification from the state court judge regarding his sentence and judgment in that court.

IT IS THEREFORE ORDERED that Defendant's Motion to Clarify Federal Sentence (Doc. No. 14) is DENIED. The Clerk is DIRECTED to send a copy of this order to counsel of record, as well as the pro se Defendant Thomas J. Maybeck, #0261666, 1245 Camp Road, Salisbury, North Carolina 28147.

IT IS SO ORDERED.

Signed: October 4, 2007



Frank D. Whitney
United States District Judge

